

Message Text

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ACTION ORM-02

INFO OCT-01 IO-11 ISO-00 DHA-02 EUR-12 NEA-10 CIAE-00

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FM USMISSION GENEVA

TO SECSTATE WASHDC 8247

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SUBJECT: ELIGIBILITY OF RETURNEES FROM ISRAEL FOR USRP TYPE
ASSISTANCE

REF: STATE 028766

1. MISSION HAS CAREFULLY REVIEWED CRITERIA FOR USRP ASSISTANCE
PRESENTLY APPLIED IN DETERMINING ELIGIBILITY OF SOVIET
MIGRANTS FROM
ISRAEL.

2. MISSION LETTER TO VOLAGS DATED OCT 3, 1975 MERELY UPDATES
PREVIOUS SIMILAR INSTRUCTIONS IN LIGHT OF EXPERIENCE AND CHANGING
CONDITIONS AND PROVIDES DEFINITIONS FOR CATEGORIES OF PERSONS WHO
ARE ELIGIBLE FOR ASSISTANCE.

3. FROM VERY RECENT DISCUSSIONS WITH INS OFFICIALS IN EUROPE WE
ARE CONVINCED THAT OUR APPLICATION OF POLICY IS LESS RPT LESS RES-
TRICTIVE THAN INS'S. CRITERIA FOR JUDGING WHETHER OR NOT A PERSON
WAS "FIRMLY RESETTLED" ARE IDENTICAL. GAO LETTER OF DEC 22, 1975
CONTAINS A CRITICAL OMISSION WHICH LEADS TO THE ERRONEOUS
CONCLUSION THAT USRP IS MORE RESTRICTIVE. GAO DID NOT CONSIDER THE
FINAL PARA OF THE OCT USRP POLICY WHICH STATES THE
REFUGEE CAN PROVIDE CONVINCING EVIDENCE THAT HE IS NOT FIRMLY
RESETTLED OR THAT HE DID NOT INTEND TO RESETTLE. THIS IS
IDENTICAL TO INS POLICY. TO ILLUSTRATE, OF A TOTAL USRP
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REGISTRATION OF 264 CASES EX-ISRAEL BETWEEN OCT 1, 1975 AND

FEB 13, 1976, WE REJECTED 36 CASES. DURING THE SAME PERIOD, INS FURNISHED US COPIES OF REJECTION LETTERS FOR 51 CASES WHICH USRP HAD ACCEPTED FOR SUPPORT. WHILE WE ACCEPT ALL RPT ALL CASES WHO LEAVE ISRAEL WITHIN ONE YEAR, INS MUST, BY LAW, CONSIDER THE RESETTLEMENT FACTOR EVEN FOR THOSE WHICH USRP ACCEPTS WITH QUESTION.

4. WE ARE SOMEWHAT PUZZLED BY DEPARTMENT'S CONCERN IN PARA 3 REFTEL THAT DESERVING CASES SHOULD NOT BE PRECLUDED "BECAUSE THEY BEAR AN ISRAELI PASSPORT RATHER THAN A LAISSEZ-PASSER." TRAVEL DOCUMENTS WERE A CONSIDERATION BEFORE OUR OCT 3, 1975 LETTER. THEY ARE NOT MENTIONED IN THAT LETTER AND HAVE SPECIFICALLY BEEN EXCLUDED FROM OUR ELIGIBILITY CONSIDERATIONS SINCE OCT 1975.

5. WE AGREE THAT THE NUMBER OF SOVIET EMIGRANTS EX-ISRAEL SHOULD DECREASE OVER THE LONG-TERM SINCE CHOICE OF IMMIGRATION COUNTRY IS NOW AVAILABLE ON ARRIVAL AT VIENNA. MEANWHILE, DEPARTMENT CAN REST ASSURED THAT MISSION CONSIDERS EACH CASE CAREFULLY. OUR PROCEDURES INCLUDE A REVIEW PROCESS FOR ALL REJECTIONS SO THAT THE BURDEN OF THIS DIFFICULT JUDGMENT DOES NOT FALL UPON ONE OFFICER ALONE BUT INSURES THAT ALL FACTORS ARE CONSIDERED BEFORE A NEGATIVE DECISION IS RENDERED. DALE

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